



BEST AVAILABLE COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: DIANE M. LANDERS ET AL.

Serial No.: 10/002,678

Filed: October 24, 2001

For: HORIZONTALLY STRUCTURED
MANUFACTURING PROCESS
MODELING FOR FIXTURES AND TOOLING

)
) Group Art Unit: 2812
)
)
) Examiner:
) Ghyka, Alexander G.
)
) Confirmation No.: 4662
)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION FOR WITHDRAWAL FROM ISSUE
37 C.F.R. § 1.313(B)

Applicants hereby petition for the withdrawal of this application from issue for the purpose of reopening examination so that new prior art may be considered. A Request for Continued Examination is submitted herewith. Copies of the cited art will follow via first class mail.

Please charge the petition fee of \$130.00 to Deposit Account No. 06-1130. If there are any other fees required, please charge them to Deposit Account No. 06-1130.

08/23/2004 WASFAW1 00000007 061130 10002678

01 FC:1460 130.00 BA

Adjustment date: 11/16/2004 SDIRETA1
08/23/2004 WASFAW1 00000007 061130 10002678
01 FC:1460 130.00 CR

Date: August 18, 2004

Respectfully Submitted,

CANTOR COLBURN LLP

By 
Troy J. LaMontagne

Registration No. 47,239
55 Griffin Road South
Bloomfield, CT 06002
Telephone: (860) 286-2929
Facsimile: (860) 286-0115

DP-306553
DE3-0256

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/002,678
Filing Date	October 24, 2001
First Named Inventor	Diane M. Landers
Art Unit	2812
Examiner Name	Alexander G. Glyka
Attorney Docket Number	DP-306533/DE3-0256

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

- ii. ☐ Other _____

- b. ☒ Enclosed

- i. ☐ Amendment/Reply

- iii. ☒ Information Disclosure Statement (IDS)

- ii. ☐ Affidavit(s)/Declaration(s)

- iv. ☐ Other _____

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

- b. ☐ Other _____

3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to

Deposit Account No. 06-1130

- i. ☒ RCE fee required under 37 CFR 1.17(e)

- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)

- iii. ☐ Other _____

- b. ☐ Check in the amount of \$ _____ enclosed

- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

RECEIVED

AUG 18 2004

OFFICE OF PETITIONS

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type) Troy J. LaMontagne

Registration No. (Attorney/Agent) 47,239

Signature Troy J. LaMontagne

Date

August 18, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type) Noelle T. Erickson

Signature Noelle T. Erickson

Date

August 18, 2004

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comment on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-6199 and select option 2.

Adjustment date: 11/16/2004 SDIRETA1
08/23/2004 WASFAW1 00000007 061130 10002678
02 FC:1801 770.00 CR

BEST AVAILABLE COPY

08/19/2004
02 FC:1801

DP-306553/DE3-0256

PATENT AND TRADEMARK
DIVISION

2004 OCT -5 PM 4:34

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: DIANE M. LANDERS ET AL)
Serial No: 10/002,678) Group Art Unit: 2812
Filed: October 24, 2001) Examiner:
For: HORIZONTALLY STRUCTURED) Ghyka, Alexander G.
MANUFACTURING PROCESS)
MODELING FOR FIXTURES AND)
TOOLING) Confirmation No. 4662

REQUEST FOR REFUND

Mail Stop 16
Director of the U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
Attn: Refund Section, Accounting Division, Office of Finance

Sir:

In accordance with 37 CFR 1.26(b), Applicants respectfully request a refund of the fees in the amount of \$900.00. On August 18, 2004 Applicants gave permission to charge deposit account 06-1130 in the amounts of \$130.00 for the Petition from Withdrawal from Issue and \$770.00 for a Request for Continued Examination. Copies of these are attached hereto as Exhibit A.

On August 23, 2004, Deposit Account No. 06-1130 was charged an additional \$900.00 both the Petition from Withdrawal from Issue and for a Request for Continued Examination. A copy of the Deposit Account Statement dated September 24, 2004 is attached as Exhibit B.

DP-306553/DE3-0256

Therefore, Applicant respectfully requests that in the amount of \$900.00 be credited to Deposit Account No. 06-1130.

Respectfully submitted,

CANTOR COLBURN LLP



Troy J. LaMontagne
Registration No. 47, 239
Customer No. 23413
55 Griffin Road South
Bloomfield, CT 06002
Telephone: (860) 286-2929
Facsimile: (860) 286-0115

Date: September 28, 2004

This document is a copy of a document filed in an electronic filing system with the Division of the U.S. Patent and Trademark Office, Washington, D.C. 20535-1400.	
Submitted by: <u>Troy J. LaMontagne</u>	
(Date of Filing): <u>9/28/2004</u>	
Name of Filing Office: <u>USPTO</u>	
(Date of Filing): <u>9/28/2004</u>	
Date: <u>9/28/2004</u>	

Exhibit

A

CERTIFICATE OF TRANSMISSION

Applicant(s): **DIANE M. LANDERS ET AL.**

Docket No.

BP 38543/DE3-0256

Application No.
10/002,678

Filing Date
10/14/2001

Examiner
ALEXANDER C. CHITKA

Group Art Unit
2812

Invention: **HORIZONTALLY STRUCTURED MANUFACTURING PROCESS MODELING FOR FIXTURES AND TOOLING**

copy

I hereby certify that this Petition for Withdrawal from Prosecution, RCE, IDS, (2 pr) and IDS (1 pr)

is being facsimile transmitted to the United States Patent and Trademark Office (Fax No. 703-385-4257)

on August 18, 2004
(Date)

Nicole T. Erickson

(Printed Name of Person Signing Certificate)

Nicole T. Erickson
(Signature)

Note: Each paper must have its own certificate of mailing.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: DIANE M. LANDERS ET AL.

Serial No.: 10/002,678

Filed: October 24, 2001

For: HORIZONTALLY STRUCTURED
MANUFACTURING PROCESS
MODELING FOR TEXTILES AND TOOLING

)
) Group Art Unit: 2812

)
) Examiner:
) Chyka, Alexander G.

)
) Confirmation No.: 4662

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

copy

PETITION FOR WITHDRAWAL FROM ISSUE
37 C.F.R. 1.312(b)

Applicants hereby petition for the withdrawal of this application from issue for the purpose of reopening examination so that new prior art may be considered. A Request for Continued Examination is submitted herewith. Copies of the cited art will follow via first class mail.

Please charge the petition fee of \$130.00 to Deposit Account No. 06-1130. If there are any other fees required, please charge them to Deposit Account No. 06-1130.

Respectfully Submitted,

CANNON COLBURN LLP

By

[Signature]
J. L. Montagne

Registration No. 47,239

55 Griffin Road South

Bloomfield, CT 06002

Telephone: (860) 286-2929

Fax/facsimile: (860) 286-0115

Date: August 18, 2004

Case Number	16881578
Filing Date	October 24, 2001
First Named Infringer	Diane M. Landers
Art Unit	2812
Examiner Name	Alexander G. Ghyta
Attorney Name	DP-396311/DTS-3256

If you need a...

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
DP-306553/DE3-0256

In Re Application Of: **DIANE M. LANDERS ET AL.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/002,678	10/24/2001	ALEXANDER G GHYKA	23411	2812	4662

Title: **HORIZONTALLY-STRUCTURED PROCESS MODELING FOR FIXTURES AND TOOLING**

Address:
Organizational for Patents
P.O. Box 118
Alexandria, VA 22303-1450

37 CFR 1.97(b)

1. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

37 CFR 1.97(c)

2. ☐ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

☐ the statement specified in 37 CFR 1.97(e);

OR

☐ the fee set forth in 37 CFR 1.17(a).

copy

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
DP-36643/DE1-0256

In Re Application: **DIANE M. LANDERS ET AL.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/002,678	10/24/2001	ALEXANDER G GUYKA	23413	2812	4662

Title: **HORIZONTALLY-STRUCTURED PROCESS MODELING FOR FIXTURES AND TOOLING**

Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of _____ is attached.
- ☒ The Director is hereby authorized to charge and credit Applicant's Account No. **06-1130** as described below.
- ☐ Charge the amount of _____
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.

- ☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Certificate of Transmission by Facsimile

I certify that this document and authorization to charge Applicant's account is being facsimile transmitted to the United States Patent and Trademark Office (Fax No. _____).

(Date) _____

Signature _____

Typed or Printed Name of Person Signing Certificate _____

Certificate of Mailing by First Class Mail

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1458, Alexandria, VA 22304-0458.

(Date) _____

Signature of Person Mailing Correspondence _____

Name T. Erickson

Typed or Printed Name of Person Mailing Certificate _____

*This certificate may only be used if paying by deposit account.

Troy J. LaMontagne
Signature

Dated: **August 12, 2004**

Troy J. LaMontagne
Registration No. 47,239
Cantor Colburn LLP
55 Griffin Road South
Bloomfield, CT 06002
Telephone (860) 286-2929
Customer No. 23413

cc:

INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)

Document Number (Optional)
EP 306553/DE3-02

Application Number
10/002,678

LANDERS ET AL.

10/24/2001

Group Art Unit
2812

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		6,263,252 B1	7/17/2001	ST. VILLE	700	98	
		6,629,065 B1	9/30/2003	GADH ET AL.	703	1	
		6,599,125 B1	7/29/2003	FREILIG ET AL.	433	212.1	

U.S. PATENT APPLICATIONS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

copy

FOREIGN PATENT DOCUMENTS

REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation
						YES NO

OTHER DOCUMENTS (Including Abstract, Title, Date, Pertinent Pages, Etc.)

	Solid Edge User's Guide Version 4.0 (1998) by Datagraphics Solutions, 1998, Pages 24, 29, 33, 98, 91, 96, 157, and 178.
	Artificial Intelligence (Understanding Computers Series) Time-Life Books, 1984, ISBN 0-8054-3675-3, pages 36-43.

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 400. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

copy

THE STAMP OF THE PATENT OFFICE, PLACED HEREON, ACKNOWLEDGES RECEIPT OF
Attorney Docket No. 10033/DE-0000 Date Mailed: 8/18/2004
Applicant: BLANE MCANDERS
Serial Number: 100000678 Date Filed: 10/24/2003
For: HORIZONTAL STRUCTURED PROCESS MODELING
FOR FIXTURES AND TOOLING

.....
Certificate of Transmittal by Patent Office (1) page
Petition for Withdrawal from Issue (1) page Request for
Continued Examination (1) page Affidavit of Invention (2) pages
1449 (1) page Copy Reference and Return Postcard

Mailed via First Class Mail on August 18, 2004
Received by the USPTO on

TRANSACTION REPORT

AUG-18-2004 WED 03:23 PM

DATE START RECEIVER

TX TIME

TX TYPE

NOTE

H#

DP

AUG-18 03:21 PM 917033054257

1'53"

SND

OK

748

TOTAL :

TM 535 PAGES: 8

CERTIFICATE OF TRANSMISSION BY FACSIMILE (TELEFAX)

Applicant(s): DIANE M. LANDERS ET AL.

Docket No.

DP-396553/PK3-0256

Application No.

10/002,678

Filing Date

10/24/2001

Examiner

ALEXANDER G. GRAYKA

Group Art Unit

2812

Invention: HORIZONTALLY STRUCTURED MANUFACTURING PROCESS MODELING FOR FIXTURES AND TOOLING

copy

I hereby certify that this ... Petition for ~~XX~~ (1 pg), RCE (1 pg), JOE (2 pg), and 1449 (1 pg)

is being facsimile transmitted to the United States Patent and Trademark Office (Fax No. 703-305-4257)

On:

August 18, 2004

(Date)

Noelle T. Erickson

(Typed or Printed Name of Person Signing Certificate)

Noelle T. Erickson

Deposit Account Statement

Exhibit

(B)

Page 4 of 5

08/18 27	60801792	GP-070	2085	\$80.00	\$10
08/18 75	60801574	GP-30	1005	\$180.00	\$9
08/18 89	10220833	GER-017	2253	\$475.00	\$9
08/19 11	10002878	GP-30	1480	\$130.00	\$9
08/19 12	10002878	DP-30	1801	\$770.00	\$8
08/19 31	29211502	GER-0878	1002	\$340.00	\$8
08/19 33	29211499	GER-0878	1002	\$340.00	\$7
08/19 34	29211500	GER-0878	1002	\$340.00	\$7
08/19 35	29211501	GER-0878	1002	\$340.00	\$7
08/19 96	09446623	SWA-0878	2402	\$165.00	\$6
08/19 175	10504612	E-REPLENISHMENT	1809	\$730.00	\$6
08/20 22	10709531	41P-01	1051	\$130.00	\$8
08/20 41	10920627	YOM-01	1801	\$770.00	\$5
08/20 42	10920627	YOM-01	1203	\$290.00	\$5
08/20 69	0820712	SWA-0878	8821	\$40.00	\$5
08/23 7	10002878	DP-30	1460	\$130.00	\$4
08/23 8	10002878	DP-30	1801	\$770.00	\$4
08/23 69	E-REPLENISHMENT	CHU-01	9203	\$5,000.00	\$9
08/23 270	78432003	41P-01	7004	\$150.00	\$8
08/24 1	10063256	KAV-01	1251	\$110.00	\$8
08/24 1	10036802	KAV-01	1251	\$110.00	\$8
08/24 2	10063256	41P-01	1801	\$770.00	\$7
08/24 3	10063256	41P-01	1202	\$38.00	\$7
08/24 3	10036802	KAV-01	1202	\$38.00	\$7
08/24 166	29211501	GER-0878	8021	\$40.00	\$7
08/24 167	29211500	GER-0878	8021	\$40.00	\$7
08/24 168	29211499	GER-0878	8021	\$40.00	\$7
08/24 169	29211502	GER-0878	8021	\$40.00	\$7
08/24 251	10820167	UCT-01	2001	\$385.00	\$7
08/24 252	10820167	UCT-01	2202	\$45.00	\$7
08/24 253	10820167	UCT-01	2051	\$65.00	\$7
08/24 276	09974694	H00-01	1501	\$1,330.00	\$5
08/24 277	09974694	H00-01	1504	\$300.00	\$5
08/24 278	09974694	H00-01	8001	\$3.00	\$5
08/24 338	10505059	YOM-01	1611	\$1,080.00	\$4
08/25 1	10093988	YOM-01	1251	\$110.00	\$4
08/25 1	10033540	ROP-01	1251	\$110.00	\$4
08/25 3	10603260	YPL-01	1808	\$180.00	\$4
08/25 14	10832860	APL-01	8021	\$40.00	\$4
08/25 23	E-REPLENISHMENT	APL-01	9203	\$10,000.00	\$14
08/25 29	10711108	147-01	1001	\$770.00	\$13
08/25 30	10711108	147-01	1202	\$144.00	\$13
08/25 31	10711107	147-01	1001	\$770.00	\$12
08/25 32	10711107	147-01	1202	\$90.00	\$12
08/25 45	10433434	APL-01	9204	\$576.00	\$12
08/25 58	PCT/US04/20385	APL-01	1703	\$12.00	\$12
08/25 65	78290480	MOI-01	8621	\$40.00	\$12
08/25 66	78290480	MOI-01	8522	\$50.00	\$12

**This Page is Inserted by IFW Indexing and Scanning
Operations and is not part of the Official Record**

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- ☒ **BLACK BORDERS**
- ☐ **IMAGE CUT OFF AT TOP, BOTTOM OR SIDES**
- ☐ **FADED TEXT OR DRAWING**
- ☐ **BLURRED OR ILLEGIBLE TEXT OR DRAWING**
- ☐ **SKEWED/SLANTED IMAGES**
- ☐ **COLOR OR BLACK AND WHITE PHOTOGRAPHS**
- ☐ **GRAY SCALE DOCUMENTS**
- ☒ **LINES OR MARKS ON ORIGINAL DOCUMENT**
- ☐ **REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY**
- ☐ **OTHER: _____**

IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.